

UNITED STATES DISTRICT COURT
DISTRICT OF NEW HAMPSHIRE

H & F Aviation, Inc., and
Joseph L. Frisolone,

v.

Keyson Enterprises, Inc.,
Keyson Airways Corporation,
William Krivsky, Individually,
and Holly Frenzel, Individually,

Civil No. 06-cv-135-SM

Keyson Enterprises, Inc.,
Keyson Airways Corporation,
William Krivsky, Individually,
and Holly Frenzel, Individually,

v.

H & F Aviation, Inc., and
Joseph L. Frisolone,

O R D E R

Re: (Document No. 53) Motion to Allow Depositions After
the Discovery Deadline; and
(Document No. 55) Defendants' Motion to Extend
Settlement and Trial Deadlines

Ruling: Denied (document no. 53). Plaintiffs suggest that the case has been settled via execution of an enforceable settlement agreement. That issue ought to be resolved before the parties are put to additional expense aimed at preparation for a trial that may not occur. Counsel can, no doubt, agree upon discovery that might be necessary to resolving issues related to enforcement of the preliminary settlement agreement. Defendants' Motion to Extend Settlement and Trial Deadlines (document no. 55) is denied in part and granted in part. The court cannot modify the terms of the settlement agreement sua sponte. But, the trial and pretrial schedule deadlines are hereby suspended in light of plaintiffs representations that the case is settled by agreement and the agreement is enforceable.


Steven J. McAuliffe
Chief Judge

February 2, 2007

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